

March 12, 2021

Honorable Mike Sundin, Chair  
House Committee on Agriculture Finance and Policy  
100 Rev. Dr. Martin Luther King Jr. Boulevard  
State Office Building, Room 407  
St. Paul, MN 55155-1232

**RE: H. F. No. 718 (Vang and Hollins)**

Dear Chair Sundin:

Thank you for the opportunity to provide testimony on HF 718 (Vang and Hollins), a bill that would permit local restrictions on certain pesticides. On behalf of the Household & Commercial Products Association, I would like to express concerns about the bill's preemption language, as well as its broad application of restricted pesticides.

The Household & Commercial Products Association (HCPA) is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$180 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. HCPA member companies employ hundreds of thousands of people globally. Products HCPA represents include disinfectants that kill germs in homes, hospitals and restaurants; air fresheners, room deodorizers, and candles that eliminate odors; pest management products for home, lawn and garden, and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day.

First, the precedent the bill sets for local regulation of pesticides identified in the bill is unnecessary and would lead to troubling consequences. Federal law requires that before selling or distributing a pesticide in the United States, a person or company must obtain registration, or license from the U.S. Environmental Protection Agency (EPA).<sup>1</sup> Before registering a new pesticide or new use for a registered pesticide, EPA must first ensure that the pesticide, when used according to label directions, can be used with a reasonable certainty of no harm to human health and without posing unreasonable risks to the environment. Localities do not have the expertise of chemists, scientists, or legal resources to effectively regulate pesticides compared to the EPA or Minnesota Department of Agriculture. Furthermore, this approach would establish a maze of regulations across the state for common consumer products, making compliance incredibly difficult.

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<sup>1</sup> According to the EPA, "The process of registering a pesticide is a scientific, legal, and administrative procedure through which EPA examines the ingredients of the pesticide; the specific site or crop where it is to be used; the amount, frequency, and timing of its use; and storage and disposal practices. The agency evaluates registration applications to assess a wide variety of potential health and environmental effects associated with use of the product. EPA evaluates and approves the language that appears on each pesticide label to ensure the directions for use, including safety measures, appropriately address potential risks."

Second, with respect to the scope of the restrictions, by including any pesticide with a precautionary statement about bees or pollinators, HF 718 would capture a wide range of pesticides including, but not limited to, neonicotinoids and pyrethroids. Neonicotinoids, for example, are used indoors and around structures as pest control products help manage insects including bed bugs, flies, stink bugs, cockroaches, grubs, and certain invasive species. The neonicotinoids were developed in large part because they are *safer* alternatives to previously used organophosphate and carbamate insecticides. The Pyrethroid class - derived from chrysanthemum flowers - are used for a number of common insect pest management applications and were reevaluated by the U.S. Environmental Protection Agency late last year.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the U.S. Environmental Protection Agency (EPA) reviews all current pesticide registrations to ensure they continue to meet the protective FIFRA risk standard in light of new information and evolving science. Furthermore, the U.S. Department of Agriculture and the EPA released a comprehensive scientific report on honeybee health. The report states that there are *multiple* factors playing a role in honeybee colony declines, including parasites and disease, genetics, poor nutrition and pesticide exposure. One of the key findings of the report is that arthropod pests have “major negative impacts on colonies” in the U.S. and other countries.

Still, many of the HCPA represented products are registered for use indoors or outside around homes and businesses that have no application to plants where bees typically interact with pesticides. HCPA appreciates the consideration given to indoor use and pet products. However, the language continues to restrict common consumer pesticidal products used outdoors such as fly abatement strips, scatter bait, and other important household insect pest management tools.

We support continued research on the risks to bee health and readily acknowledge the critical importance of pollinators to the agricultural economy and environment, however, in recognition of the work by the US EPA and lack of adequate science to support the measure, HCPA remains concerned about the far-reaching application of the bill.

Sincerely,



Christopher Finarelli  
Director, State Government Relations & Public Policy - Western Region